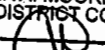


Rev. 5/2024 Prisoner Complaint

FILED

FEB 27 2025

United States District Court  
Eastern District of North Carolina  
Western Division

PETER A. MOORE, JR., CLERK  
US DISTRICT COURT, EDNC  
BY  DEP CLK

Case No. 5:25-CT-3048-D

(To be filled out by Clerk's Office only)

Charles A Walker Jr

Inmate Number 34154-057

(In the space above enter the full name(s) of the plaintiff(s).)

**COMPLAINT**

(Pro Se Prisoner)

-against-

F.C.1

MC Howell Warden G-Queen

Lt Stark, (female S.I.S)

CASE Manager MS Mullins

R/P Supervisor officer McCallum

Jury Demand?

☒ Yes

☐ No

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section IV. Do not include addresses here.)

**NOTICE**

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

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**I. COMPLAINT**

Indicate below the federal legal basis for your claim, if known. This form is designed primarily for pro se prisoners challenging the constitutionality of their conditions of confinement, claims which are often brought under 42 U.S.C. § 1983 (against state, county, or municipal defendants) or in a "Bivens" action (against federal defendants).

- ☒ 42 U.S.C. § 1983 (state, county, or municipal defendants)
- ☒ Action under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)
- ☐ Action under Federal Tort Claims Act (United States is the proper defendant; must have presented claim in writing to the appropriate Federal agency and received a notice of final denial of the claim pursuant to 28 U.S.C. § 2401(b))

**II. PLAINTIFF INFORMATION**

Mr Charles A Walker Jr  
Name

34654-057  
Prisoner ID #

F.C.I Mc Dowell  
Place of Detention

P.O Box 1009  
Institutional Address

Welch West Va 24801  
City State Zip Code

**III. PRISONER STATUS**

Indicate whether you are a prisoner or other confined person as follows:

- ☐ Pretrial detainee ☐ State ☐ Federal
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☒ Convicted and sentenced federal prisoner

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**IV. DEFENDANT(S) INFORMATION**

*Please list the following information for each defendant. If the correct information is not provided, it could result in the delay or prevention of service. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.*

Defendant 1: G. Queen  
 Name  
warden of F.C.I Mc Dowell  
 Current Job Title  
P.O BOX 1009  
 Current Work Address  
Welch West Va 24801  
 City State Zip Code  
 Capacity in which being sued: ☐ Individual ☐ Official ☒ Both

Defendant 2: Mr Mc collum  
 Name  
RED SUPERVISOR F.C.I Mc Dowell  
 Current Job Title  
P.O BOX 1009  
 Current Work Address  
Welch W. Va 24801  
 City State Zip Code  
 Capacity in which being sued: ☐ Individual ☐ Official ☒ Both

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**Defendant(s) Continued**

Defendant 3: Ms Stark  
Name  
S.I.S lieutenant f.c.i Mc. Dowell  
Current Job Title  
P.O BOX 1009  
Current Work Address  
Welch W Va 24801  
City State Zip Code

Capacity in which being sued: ☐ Individual ☐ Official ☐ Both

Defendant 4: Ms Mullins  
Name  
B-1  
Case Manager f.c.i Mc Dowell  
Current Job Title  
P.O BOX 1009  
Current Work Address  
Welch WVa 24801  
City State Zip Code

Capacity in which being sued: ☐ Individual ☐ Official ☐ Both

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**V. STATEMENT OF CLAIM**Place(s) of occurrence: F.C.I MC DOWELLDate(s) of occurrence: November 6, 2024 til Feb 21, 2025

State which of your federal constitutional or federal statutory rights have been violated:

DUE PROCESS, 1<sup>st</sup> 6<sup>th</sup> 8<sup>th</sup> 14<sup>th</sup> Amendments U.S.C 242

State here briefly the FACTS that support your case. Describe how each defendant was personally involved in the alleged wrongful actions, state whether you were physically injured as a result of those actions, and if so, state your injury and what medical attention was provided to you.

**FACTS:**

Who  
did what to  
you?

November 6, 2024 I arrived at F.C.I MC DOWELL from F.C.I RayBrook. During which time I had a Habeas Corpus 2255 Appeal pending in the Eastern District of North-Carolina federal court Case no# 2:23-CV-64-FI due to wrongful conviction on case no# 2:18-CR-37-FI-P. F.C.I RayBrook R&D SUPERVISOR MS WILLET sent all my belongings off to F.C.I MC DOWELL early November and it arrived at F.C.I MC DOWELL November 12, 2024 by UPS and was signed for by officer McNeely (UPS data confirmed this) I talked to Mr McCallum and told him the importance of my appeal and ~~but~~ plus showed him Judge Flanagan order giving me 12-30-2024 Dead-line



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What  
happened  
to you?

This officer deliberately lied to me and said verbally and on card-out (Inmate Request form) that my property was NOT here and lied said F.C.I. Raybrook never sent it. This was said and written Nov 18 and 21, 2024. I had my love one Ms Demetrius Smith contact F.C.I. Raybrook Red Supervisor Ms A. Willett who told Ms Smith, "Tell Mr Walker have his counselor or case manager contact me so I can give the proof that his property is there, it's been there". I then told Ms Mullins and Counselor Mr Ewing who contacted Ms Willett and tracked the US Tracking net. Discovering McCollum lied to me. My property been at this prison since November 12, 2024.

When did it  
happen to  
you?

I reported this to Warden G. Queen, he told me report it to Ms Rife, I did this and showed them Judge Flanagan order. They said I'd have my property before Dec 30, 2024. I was never given my belongings, despite my repeated pleas. On Jan 22, 2025 I exercised my right.

Where did it  
happen to  
you?

I showed my case manager Ms Mullins E-Mails I sent Assoc Warden, McCollum, also the warden. I showed her all the court orders Eastern District Middle District also Fourth Circuit Court of appeal and requested her find out why am I being denied my belongings. ~~where~~ why is staff

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What was  
your  
injury?

were violating my rights and disregarding court orders. 20 ms Mullins then had S.I.S Lt Stark place me in S.H.U. wrongfully, unlawfully. I violated no rules, I disrespected no staff, I didn't request protective custody.

furthermore on Feb 3, 2025 (I almost died could've died.) I had a minor heart attack here because I was placed in here by Lt Stark wrongfully without my blood pressure medication for 13 days I hadn't had my medicine and Feb 3, 2025 at 2 or 3 AM I had numb left side and sharp heart pains it took guards a hour and 30 minutes to come check on me after I hit the emergency button in this cell. Then no medical staff saw me til next day.

it should be noted to this court. if I am killed by staff here at F.C.I Mc Dowell and if murdered, it should be noted I did NOT commit suicide. I did not assault no staff. These are usual lies they'll use to cover-up when there's a inmate death resulting by guards. I have had no problem in no other prison and I get here and I'm refused my belongings and wrongfully placed in U.S.H.U. and I violated no rules. it appears they are obstructing my appeal 2255 and or plotting to set me up to be murdered or try depress me out to commit suicide. In which I will NOT do.



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## VI. ADMINISTRATIVE PROCEDURES

**WARNING:** Prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions. 42 U.S.C. § 1997e(a). Your case may be dismissed if you have not exhausted your administrative remedies.

Have you filed a grievance concerning the facts relating to this complaint? ☒ Yes ☐ No

If no, explain why not:

I have filed grievance and written 7 notes to Ms Mullins, Mr Ewing, Warden Queen and Lt Stark. These people have not replied and they have not come to see me. Video Surveillance can confirm this.

Is the grievance process completed? ☒ Yes ☒ No

If no, explain why not:

due to staff at this prison violating rules of law U.S.C 242 and policy they are doing as they please here, even to the point of having inmates assault other inmates for using drugs.

## VII. RELIEF

State briefly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I'm requesting this court give a Injunction order for this prison to immediately release me outta S.H.U and for me to be given my property so I may effectively reply to my 2255 and prove my innocence. Also for this court to order this prison disclose who told them to refuse giving me my property.

Legal Note on Back



This court should also know:

when prisoners are moved to another prison, it never takes months for that prisoner to be given their belongings.

I was at F.C.I. Williamsburg and Ray Brook it never took longer than 2 weeks.

Now all of sudden after I inform this court for extention, mysteriously these people refuse to give me my belongings. As if some one (possibly U.S. Attorney's office in n.c) told them do this to prevent me exposing the deliberate wrongful conviction done to me.

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**VIII. PRISONER'S LITIGATION HISTORY**

*The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in forma pauperis in federal court if that prisoner has "on three or more occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. §1915(g).*

Have you brought any other lawsuits in state or federal court while a prisoner?

☐ Yes ☒ No

If yes, how many? \_\_\_\_\_

Number each different lawsuit below and include the following:

- Name of case (including defendants' names), court, and docket number
- Nature of claim made
- How did it end? (For example, if it was dismissed, appealed, or is still pending, explain below.)

I have not filed 1983 civil suits

and this petitioner request that this official complaint be not held against petitioners 2055 proceeding. petitioner is also aware that ( )

this court can address this matter even though this person is NOT in this court's jurisdiction. please see U.S.C. 2106.

Were this court can take action this complaint also is evidence that petitioner is being prevented from replying to his 2055. Due to a Entity that's under the U.S Justice Dept / U.S Attorney office petitioner is now without a Ink pen.

this lady Lt Stark has petitioner in S.H.U for no valid reason. Petitioner don't even have soap, toothpaste, nothing of his property.

(turn page)

Petitioner has shown this court  
substantial proof of his efforts  
be given his property.

petitioner can submit to polygraph  
on all presented to this court.

### Legal Note:

By policy petitioner is actually suppose  
to be at f.c.i Butner n.c

A. feb 26, 2021 Judge Flanagan requested  
it. (please see Judgment sheet)

B. I have had NO infractions, and completed  
all programs and reached the seeking strength  
P.T.S.d and drug abuse class at f.c.i RayBrook  
(MS Rockhill can confirm) also completed  
suicide watch training (psychologist whitehead  
can confirm)

C. petitioners point level requires me to  
be at f.c.i Butner n.c

staff at this prison is violating rules of  
law and B.O.P policies.

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**IX. PLAINTIFF'S CERTIFICATION AND WARNING**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

*Each Plaintiff must sign and date the complaint and provide prison identification number and prison address.*

Feb 22, 2025  
Dated

Charles A Walker  
Plaintiff's Signature

Charles A Walker  
Printed Name

34654-057  
Prison Identification #

<u>F.C.I. Mc Dowell</u>	<u>Welch</u>	<u>W.Va</u>	<u>24801</u>
<u>P.O. Box 1009</u>			
Prison Address	City	State	Zip Code